

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-8 and 10-16 are now present in the application. Claims 8 and 13 have been amended. Claims 1, 8 and 13 are independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

As discussed in greater detail hereinafter, Applicant respectfully submits that the rejections under 35 U.S.C. § 103(a) are improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action mailed on April 16, 2003 should be withdrawn.

If the Examiner persists in maintaining his rejections, Applicant submits that this Amendment was not presented at an earlier date in view of the fact that Applicant is responding to a new ground of rejection set forth in the Final Office Action. In accordance with the requirements of 37 C.F.R. §1.116, Applicant respectfully requests entry and consideration of the foregoing amendments as they remove issues for appeal.

Allowable Subject Matter

The Examiner has indicated that claims 1-7 are allowed. Applicant greatly appreciates the indication of allowable subject matter by the

Examiner. As the Examiner will note, in view of the foregoing amendments, all pending claims should be allowable.

Claim Rejections Under 35 U.S.C. § 103

Claims 8, 11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ichiyama, U.S. Patent No. 5,791,784, in view of Kuwayama, U.S. Patent No. 5,874,793. Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ichiyama in view of Kuwayama, and further in view of Komatsu, U.S. Patent No. 5,763,344. Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ichiyama in view of Kuwayama, and further in view of Davies, U.S. Patent No. 4,865,922. Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ichiyama in view of Kuwayama, and further in view of Muller, U.S. Patent No. 4,007,390. Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ichiyama in view of Kuwayama, and further in view of Komatsu. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claims 8 and 13 have been amended to address the Examiner's rejections.

Independent claim 8 has been amended to recite a combination of elements including "an entire inner surface of said ceramic axial tube

being free of lubricants". Independent claim 13 has been amended to recite a combination of elements including "a ceramic axial tube which is a hollow tube having one end fixed on the rotor and the other end opening closed by a lid". Support for the above combinations of elements can be found in FIGs. 6 and 10. Applicant respectfully submits that the above combinations of elements as set forth in amended independent claims 8 and 13 are not disclosed nor suggested by the references relied on by the Examiner.

Ichiyama discloses a fluid dynamic pressure bearing 16 including a hollow shaft member 18 with a hole 40, a bar-shape member 42 inside the hollow shaft member 18, a sleeve member 20, and oil within the gap between the inner surface of the hollow shaft member 18 and the outer surface of the bar-shape member 42 and between the outer surface of the hollow shaft member 18 and the inner surface of the sleeve member 20 (see FIG. 1). The oil will flow from the gap between the hollow shaft member 18 and the bar-shape member 42, through the bottom of the shaft member 18, into the gap between the hollow shaft member 18 and the sleeve member 20 by the capillarity (see col. 5, lines 12-31). Since the oil is within the gap between the inner surface of the hollow shaft member 18 and the outer surface of the bar-shape member 42, Ichiyama fails to teach "an entire inner surface of said ceramic axial tube being free of lubricants" as recited in amended claim 8.

In addition, Ichiyama also fails to teach “a ceramic axial tube which is a hollow tube having... the other end opening closed by a lid” as recited in amended claim 13 because the bottom of the shaft member 18 is open for the oil to flow into the gap between the outer surface of the hollow shaft member 18 and the inner surface of the sleeve member 20.

With regard to the Examiner’s reliance on Kuwayama, Komatsu, Davies, and Muller, these references have only been relied on for their teachings related to the range of the storage space and the subject matter of dependent claims. These references also fail to disclose the above combinations of elements as set forth in amended independent claims 8 and 13. Accordingly, these references fail to cure the deficiencies of Ichiyama.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of amended independent claims 8 and 13 or their dependent claims. Therefore, Applicant respectfully submits that claims 8 and 13 and their dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

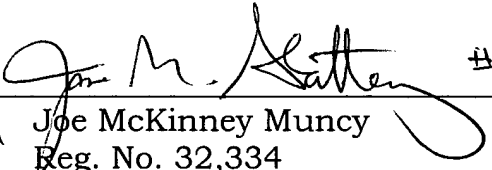
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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